

01-14-02

A

**IANDIORIO & TESKA**

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January 11, 2002

Box Patent Application  
 Assistant Commissioner of Patents  
 Washington, DC 20231

SUBJECT: FOLDABLE MEMBER FM-169J

Dear Sir:

Enclosed is a divisional application under Rule 60 of application Serial No.  
 09/436,514, filed November 9, 1999.

Applicant: Peter A. Warren

Title: FOLDABLE MEMBER

No. Pages Specification: 16 including 1 page Abstract; Claims: 6; Formal  
 Drawings: 8; Declaration and Power of Attorney; Verified Statement Claiming  
 Small Entity Status; and Assignment.

Filing Fee Calculation (Small Entity)

Basic Fee: \$370.00

## Additional Fees:

Total number of claims in excess  
 of 20: 6 x \$9.00: \$ .00

Number of independent claims in  
 excess of 3: 1 x \$42: \$ .00

TOTAL FILING FEE: \$370.00

EXPRESS MAIL CERTIFICATE NO. EL861889865US

01/11/02  
 J1057 U.S. PTO

J1046 U.S. PTO  
 10/044434  
 01/11/02

10044434-01102

January 11, 2002

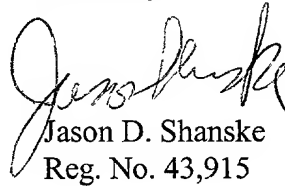
Page 2

If for any reason this application is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, (781) 890-5678.

A check in the amount of \$370.00 for the filing fee is enclosed. If any payment during prosecution is found to be incorrect, please charge any deficiency or credit any overpayment to my Deposit Account No. 09-0002. A copy of this letter is necessary to make any charge or credit to my deposit account.

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

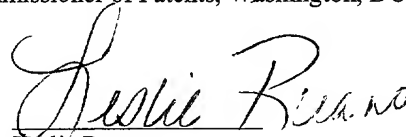
Sincerely,

  
Jason D. Shanske  
Reg. No. 43,915

JDS:lr  
Enclosures

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the attached patent application is being deposited with the United States Postal Service, Express Mail Certificate No. EL861889865US, on this 11 of January, 2002, in an envelope addressed to Box Patent Application, Assistant Commissioner of Patents, Washington, DC 20231.

  
Leslie Ruano

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January 11, 2002

Box Patent Application  
Assistant Commissioner of Patents  
Washington, DC 20231

SUBJECT: FOLDABLE MEMBER FM-169J

Dear Sir:

This is a request for filing a [ ] continuation, [X]divisional application under 37 CFR 1.60, of pending prior application serial no. 09/436,514, filed on November 9, 1999, by Peter A. Warren for FOLDABLE MEMBER. The Examiner of the prior application was Tran A, P., in Art Unit 3635.

- 1.[X] Enclosed is a complete copy of the prior application including the oath or declaration as originally filed and an affidavit or declaration verifying it is a true copy. (See 8 and 9 for drawing requirements.)
- 2.[X] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 [ ] is enclosed [X]was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
- 3.[X] The filing fee is calculated below.

## FILING FEE CALCULATION

	<u>Rate</u>	<u>Fee</u>
Basic Fee		\$370.00
Total claims in excess of 20: 0	x 9.00	\$ .00
Independent claims in excess of 3: 0	x 42.00	\$ .00
Multiple dependent claims: 0	x 140.00	
Total Filing Fee:		\$370.00

- 4.[X] The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Account No. 09-0002. A duplicate copy of this sheet is enclosed.
- 5.[X] A check in the amount of \$370.00 is enclosed.

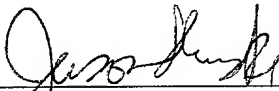
- 6.[X] Cancel in this application original claims 1-21 of the prior application before calculating the filing fee. (At least one original independent claims must be retained for filing purposes.)
- 7.[X] Amend the specification by inserting before the first line the sentence: --This is a [ ]continuation, [X]division, of application serial no. 09/436,514, filed November 9,1999.--
- 8.[ ] Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Section 1.138 and before payment of issue fee.)
- 9.[ ] New formal drawings enclosed.
- 10.[ ] Priority of application serial no. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 USC 119.
- [ ] The certified copy has been filed in prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- 11.[X] The prior application is assigned of record to Foster-Miller, Inc.
- 12.[X] The power of attorney in the prior application is to Joseph S. Iandiorio, Kirk Teska, Jason D. Shanske, Brian J. Colandreo and Scott Ouellette, Iandiorio & Teska, 260 Bear Hill Road, Waltham, MA 02451-1018.
- a.[X] The power appears in the original papers in the prior application.
- b.[ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c.[X] Address all future communications to:
- Iandiorio & Teska  
260 Bear Hill Road  
Waltham, MA 02451-1018  
(781) 890-5678
- 13.[ ] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- 14.[X] I hereby verify that the attached papers are a true copy of prior application serial no. 09/436,514 filed on November 9, 1999.

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made non information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements an the like so made are punishable

Assistant Commissioner of Patents  
January 11, 2002  
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by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/11/02

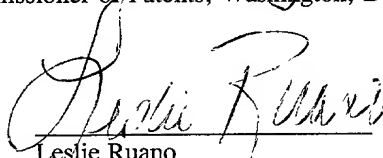
  
Signature  
Type name: Jason D. Shanske  
Reg. No. 43,915

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Waltham, MA 02451-1018

☐ Inventor(s)  
☐ Assignee of complete  
☒ Attorney or agent of record  
☐ Filed under Sec. 1.34(A)

CERTIFICATE OF EXPRESS MAIL

I hereby certify that the attached correspondence is being deposited with the United States Postal Service, Express Mail Certificate No. EL861889865US, on this 11 day of January, 2002 in an envelope addressed to: Box Patent Application, Assistant Commissioner of Patents, Washington, DC 20231.

  
Leslie Ruano

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